

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

-----	X	
	:	
In re:	:	Chapter 11
	:	
CIRCUIT CITY STORES, INC., <u>et al.</u>	:	Case No. 08-35653-KRH
	:	
Debtors.	:	Jointly Administered
	:	Judge Kevin R. Huennekens
-----	X	

NOTICE OF MOTION AND HEARING

PLEASE TAKE NOTICE THAT CCDC MARION PORTFOLIO, L.P. (“CCDC”) has filed the *Motion and Supporting Memorandum for an Order Compelling Performance of Agreement Regarding Emergency Motion for Order Compelling Payment of Post-Petition Rent Pursuant to 11 U.S.C. §§ 365(d)(3) and for Payment of Reasonable Attorneys’ Fees* (the “Motion”). A true and complete copy of the Motion has been filed with the Court and forwarded to you.

Robert S. Westermann (VSB # 43294)
Henry (Toby) P. Long, III (VSB # 75134)
HUNTON & WILLIAMS LLP
Riverfront Plaza, East Tower
951 East Byrd Street
Richmond, VA 23219-4074
Telephone: (804) 788-8327
Facsimile: (804) 788-8218

and

Michael S. Held (Texas Bar No. # 09388150)
HUNTON & WILLIAMS LLP
1445 Ross Avenue, Suite 3700
Dallas, TX 75202-2799
Telephone: (214) 468-3334
Facsimile: (214) 468-3599

Attorneys For CCDC Marion Portfolio, L.P.

PLEASE TAKE FURTHER NOTICE THAT your rights may be affected. You should read the Motion carefully and then discuss it with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult with one.)

PLEASE TAKE FURTHER NOTICE THAT if you do not want the Court to grant the relief sought in the Motion, or if you want the Court to consider your views on the Motion, you should attend the omnibus hearing scheduled for January 29, 2009 at 10:00 a.m. in the United States Bankruptcy Court for the Eastern District of Virginia, 701 East Broad Street, Courtroom 5000, Richmond, Virginia 23219.

PLEASE TAKE FURTHER NOTICE THAT, pursuant to the Case Management and Procedures Order entered by this Court on November 13, 2008 [Docket No. 130], any objection to the Motion shall be filed with the Clerk of the United States Bankruptcy Court, 701 East Broad Street, Richmond, Suite 4000, Virginia 23219, prior to the above scheduled hearing on the Motion, and shall be served on counsel for the Debtors, counsel for CCDC, counsel for the Official Committee of Unsecured Creditors, and the U.S. Trustee for the Eastern District of Virginia, Richmond Division, by January 22, 2009. Unless a written response is filed and served before the objection deadline, the Court may deem the opposition waived, treat the Motion as conceded, and issue an order granting the requested relief. If you mail your response to the Court for filing, you must mail it early enough so that the Court will receive it on or before the expiration of the objection deadline.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Motion and may enter an order granting the relief requested in the Motion.

Dated: January 2, 2009

/s/ Robert S. Westermann
Robert S. Westermann (VSB No. 43294)
Henry (Toby) P. Long III (VSB # 75134)
HUNTON & WILLIAMS LLP
Riverfront Plaza, East Tower
951 E. Byrd Street
Richmond, VA 23219
Telephone: (804) 788-8200
Facsimile: (804) 788-8218

- and -

Michael S. Held (Texas Bar No. 09388150)
HUNTON & WILLIAMS LLP
1445 Ross Avenue, Suite 3700
Dallas, TX 75202-2799
Telephone: (214) 468-3334
Facsimile: (214) 468-3599

Attorneys for CCDC Marion Portfolio, L.P.

CERTIFICATE OF SERVICE

I hereby certify that on January 2, 2009, a true and complete copy of the foregoing was filed and served electronically using the Court's ECF System and was sent by first class mail, postage prepaid, to the entities at the addresses indicated below:

Douglas M. Foley, Esq.
McGuireWoods LLP
9000 World Trade Center, 101 W. Main St.
Norfolk, VA 23510

Dion W. Hayes, Esq.
McGuireWoods LLP
One James Center, 901 E. Cary St.
Richmond, VA 23219

Gregg Galardi, Esq.
Skadden Arps, Slate Meagher & Flom LLP
One Rodney Square
Box 636
Wilmington, Delaware 19899

Counsel for the Debtors

Robert B. Van Arsdale, Esq.
Office of the U. S. Trustee
701 East Broad Street, Suite 4304
Richmond, VA 23219

U.S. Trustee for the Eastern District of Virginia

Jeffrey N. Pomerantz, Esq.
Pachulski Stang Ziehl & Jones LLP
10100 Santa Monica Boulevard, 11th Floor
Los Angeles, CA 90067

Lynn L. Tavenner, Esq.
Tavenner & Beran, PLC
20 North Eighth Street, Second Floor
Richmond, VA 23219

Counsel for the Creditor's Committee

/s/ Robert S. Westermann